

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

WILLIAM J. STAFFORD,

Plaintiff,

vs.

DOUGLAS COUNTY
CORRECTIONAL CENTER,

Defendant.

8:22CV60

MEMORANDUM AND ORDER

On March 4, 2022, the court entered an order granting Plaintiff leave to proceed in forma pauperis (“IFP”) and directing him to pay an initial partial filing fee of \$6.75 within 30 days. (Filing 8.) However, upon further review of the records in this case, it appears Plaintiff is not currently incarcerated in the Douglas County Correctional Center (“DCCC”), and he may not have been incarcerated when he filed his Complaint on February 18, 2022. Plaintiff stated in his Motion for Leave to Proceed IFP (filing 2) that he was incarcerated and being held at the DCCC and included an uncertified copy of his inmate trust account statement (filing 3) with his IFP motion. The court requested and received a certified copy of Plaintiff’s trust account statement from the DCCC which includes a handwritten notation “Inmate released on 1-5-22.” (Filing 7.) A search for Plaintiff in the DCCC’s online public records returns no results. *See* <https://corrections.dccorr.com/inmate-locator>. Additionally, the address Plaintiff listed for himself in his Complaint, and which appears on the envelope in which the Complaint was mailed, is not the address for the DCCC. (Filing 1 at CM/ECF pp. 2 & 12.)

Because Plaintiff is not incarcerated, the court will require him to file a new application for leave to proceed in forma pauperis that accurately reflects his nonprisoner status if he wishes to continue pursuing this case in forma pauperis.

Plaintiff may, in the alternative, pay the court's \$402.00 filing and administrative fees.

IT IS THEREFORE ORDERED that:

1. Plaintiff must either file a new request for leave to proceed in forma pauperis or pay the court's \$402.00 filing and administrative fees within 20 days. Failure to take either action will result in dismissal of this matter without prejudice and without further notice to Plaintiff.

2. The clerk of the court is directed to send to Plaintiff the Form AO 240, "Application to Proceed Without Prepayment of Fees and Affidavit."

3. The clerk of the court is directed to set a pro se case management deadline with the following text: **April 6, 2022**: deadline for Plaintiff to file new IFP application or pay filing fee.

Dated this 7th day of March, 2022.

BY THE COURT:



Richard G. Kopf
Senior United States District Judge